

Graening & Associates, LLC
343 Carpenter Hill Road, Folsom CA 95630

TECHNICAL MEMO: Biological Survey of the Alternate Access Road (Amber Ridge Court), Highland Farms Cultivation Project

October 8, 2024

Introduction

The proposed Highland Farms cannabis cultivation project (Major Use Permit UP 20-96) is located at: 7408, 7522, 7527, 7634, and 7746 Highland Springs Road and 7257, 7357 Amber Ridge Court, Lakeport. The project involves the following parcels:

- Cultivation Area: APNs 007-006-34 (50 acres), 007-006-35 (30 acres), 007-006-41 (39.20 acres)
- Clustering Area: APNs 007-006-27 (269.06 acres), 007-006-40 (40 acres), 007-057-02 (79.93 acres)
- Contiguous Parcels under 5 acres: APN 007-057-01 (4.75 acres)
- access road on APNs 007-006-27 and 007-006-41 (and access on a public road on the following parcels: 007-043-04 and 007-043-01)

As its primary access, the project would use an existing access road from the proposed cultivation area to Highland Springs Road. The property has another existing access road that will be used for emergency access and utility easements: Amber Ridge Court which begins on Vernal Drive and ends on the subject property (on APNs 007-057-02 and 007-006-34). The purpose of this biological assessment was to inventory the plants and animals present in the study area, map vegetation communities and jurisdictional waters (channels and wetlands), determine if listed species or other special-status species had the potential to occur in the study area, and identify any project impacts in the study area. The study area was defined as the existing ranch road that begins at the property boundary of APN 007-057-02 and traverses through the valley to APN 007-006-40 to the beginning of the entrance road that goes to Highland Springs Road (see Exhibits). This study area is a segment of road that is approximately 3,900 feet long and included a 20 foot buffer on each side of the road centerline.

Survey Details

One previous biological survey covered the eastern end of the study area:

- Pinecrest Environmental Consulting, 2020. Biological Resources Assessment for 7408 – 7746 Highland Springs Road (APN 007-006-27, 007-006-34, 007-006-35, 007-006-40, 007-006-41, 007-057-01 & 007-057-02), Lake County, California. Completed December 9, 2020. 80 pp.

Consulting biologist Kristen Ahrens, M.S. performed a biological survey and habitat assessment on August 4, 2024. The locations of habitat (vegetation community) types were marked on aerial photographs and/or georeferenced with a geographic positioning system (GPS) receiver; habitat boundaries within the Study Area were digitized to produce the final habitat maps. All visible fauna and flora observed were recorded in a field notebook, and identified to the lowest possible taxon. Survey efforts emphasized the search for any special-status species that had documented occurrences in the CNDDDB within the vicinity of the Study Area and those

species on the USFWS species list. Preliminary aquatic resource delineation methods consisted of an abbreviated, visual assessment of the three requisite wetland parameters (hydrophytic vegetation, hydric soils, hydrologic regime) defined in the US Army Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory, 1987).

Results: Database Queries

The CNDDDB was queried and any reported occurrences of special-status species were plotted in relation to the Study Area boundary using GIS software. The CNDDDB reported no special-status species occurrences within the study area. However, there are reported occurrences in the general vicinity. The closest occurrence records are for Konocti manzanita (*Arctostaphylos manzanita* ssp. *elegans*), glandular western flax (*Hesperolinon adenophyllum*), and red-bellied newt (*Taricha rivularis*).

A USFWS species list was generated online using the USFWS' IPaC Trust Resource Report System). This list is generated using a regional and/or watershed approach and does not necessarily indicate that the study area provides suitable habitat. The following species were listed in the report for the study area:

- Northern Spotted Owl *Strix occidentalis caurina* Threatened
- Northwestern Pond Turtle *Actinemys marmorata* Proposed Threatened
- Monarch Butterfly *Danaus plexippus* Candidate
- Burke's Goldfields *Lasthenia burkei* Endangered

None of these listed species have a significant potential to occur in the study area because suitable habitat is not present in the study area.

Results: Habitat Mapping

The following terrestrial natural communities occur in the study area (as categorized by CDFW 2019):

- 11.000.000 Disturbed
 - 11.300.00 Disturbed Habitat
- 12.000.00 Urban/Developed
- 18.000.000 Agriculture
 - 18.310.00 Field/Pasture
- 42.000.00 Non-native Grassland
 - 42.040.000 California Annual Grassland

No critical habitat for any federally-listed species occurs within the study area or the surrounding Property. The CNDDDB reported no special-status habitats within the study area. No special-status habitats were detected within the study area. However, special-status habitat are nearby: a freshwater marsh and several ephemeral stream channels.

Results: Jurisdictional Waters

The study area crosses two jurisdictional channels via existing pipe culverts (see Exhibits). The western end of study area is also near a wetland. This wetland contains an emergent plant community; the CDFW vegetation community is 45.110.00 Carex marsh, meadow. No vernal pools were detected in the study area.

Results: Potential for Special-status Species to Occur

Special-status Plants

No special-status plants were detected during the August 4, 2024 survey. Rare plants that are dependent upon serpentine soils occur in the vicinity of the Property. However, there are no serpentine soils mapped in the study area. The study area is located in pasture / annual grassland habitat and in ruderal / developed habitat. Special-status plants have a low potential to occur in these habitats because of the dominance of non-native grasses and common weedy forbs. No special-status plants were observed within the project areas during botanical surveys performed over a range of 4 years (2020 to 2024). Special-status plants, such as Konocti manzanita, have a moderate potential to occur in chaparral habitats on the Property, but there is no chaparral habitat in the study area. Special status plants have a moderate potential to occur in marshes that are near the study area. However, these wetlands will be avoided by project design using setbacks.

Special-status Animals

No special-status animals were detected during the August 4, 2024 survey. The study area is located in pasture / annual grassland habitat and in ruderal / developed habitat; special-status animals have a low potential to occur in these habitats because they are simplified and lower-quality, and because human activities (such as hay harvest, cattle grazing, rural residential) discourage animal presence. Special status animals have a greater potential to occur in channels and wetlands near the study area. Special status animals also have a moderate potential to occur in the mixed conifer-oak forests; however, project implementation does not require disturbance or removal of this habitat type.

Impact Analysis

Special-status Plants

The study area is located in pasture / annual grassland habitat and in ruderal / developed habitat. Special-status plants have a low potential to occur in these habitats because of the dominance of non-native grasses and common weedy forbs. No special-status plants were observed within the Project Areas during botanical surveys performed over a range of 4 years (2020 to 2024). State and federal databases do not report any listed species or special-status species. Use of the existing alternate road (Amber Ridge Court) will not impact any known special-status plant population.

Special-status Animals

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Migratory and Nesting Birds

Migratory and special-status bird species were reported in databases (CNDDDB and USFWS) in the vicinity of the study area. The Project Areas contain suitable nesting habitat for various bird species because of the presence of shrubs, tall grass, and poles. If construction activities are conducted during the nesting season, nesting birds could be directly impacted by tree removal and indirectly impacted by noise, vibration, and other construction-related disturbance. Mitigation measures have been prescribed to address this potential impact.

Potential Direct / Indirect Adverse Effects Upon Sensitive Habitats or Jurisdictional Water Resources

The study area does not contain any sensitive habitats other than 2 surface water resources. The access road in the study area crosses two jurisdictional channels via pipe culverts. The proposed project may require upgrades to these pipe culverts and work in channels. Wetlands have been avoided by setbacks. Thus, potential impacts have been mitigated by avoidance by project design modifications and by existing regulations for working in channels..

Recommended Mitigation Measures

Because special-status animal species that occur in the vicinity could migrate into the Project Areas between the time that the last field survey was completed and the start of construction, a pre-construction survey for special-status species should be performed by a qualified biologist to ensure that special-status species are not present. If any listed species are detected, construction should be delayed, and the appropriate wildlife agency (CDFW and/or USFWS) should be consulted and project impacts and mitigation reassessed. With the implementation of this mitigation measure, adverse impacts upon special-status species would be reduced to a less-than-significant level.

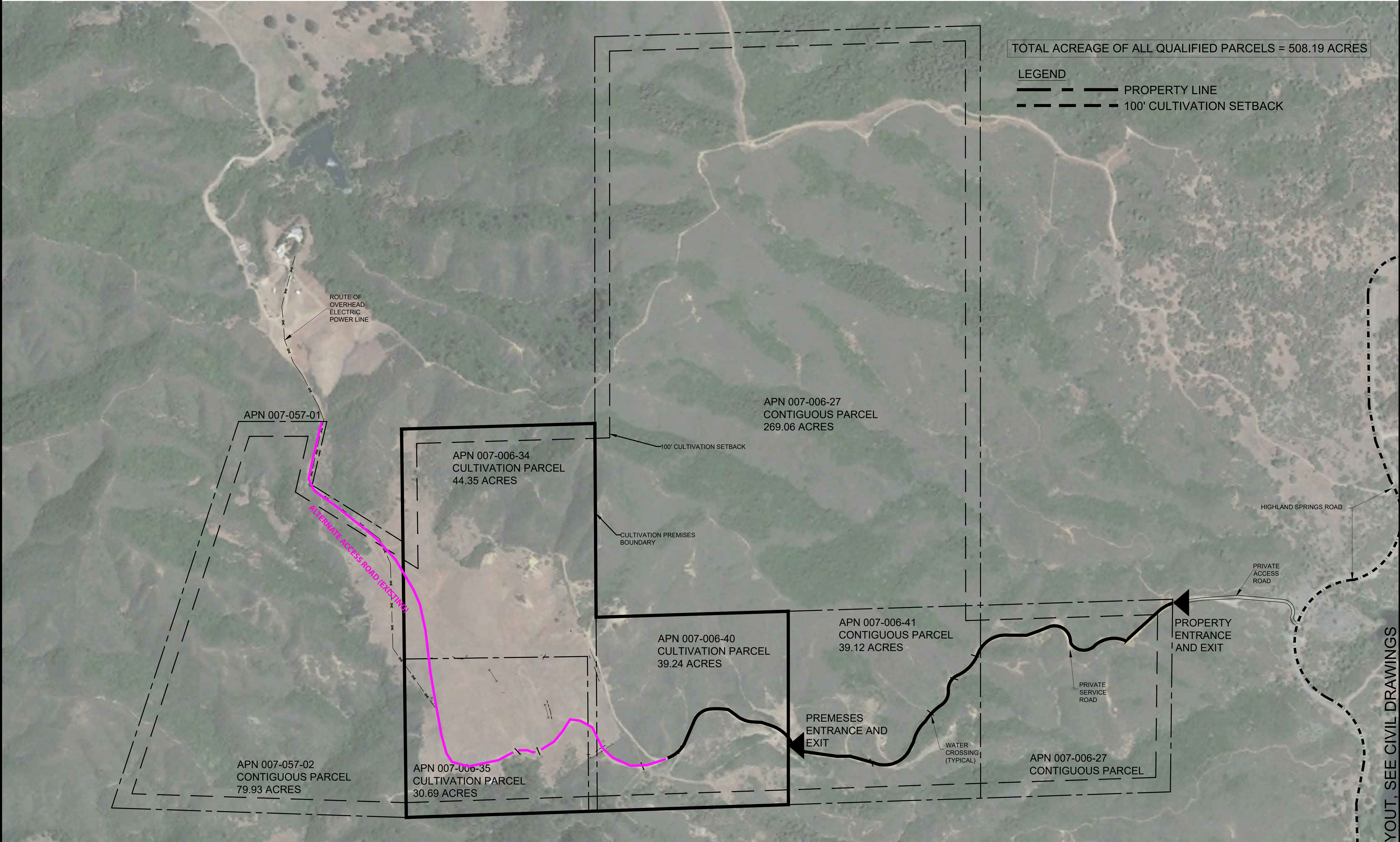
If construction activities would occur during the nesting season (mid-February through August), a pre-construction survey for the presence of special-status bird species or any nesting bird species should be conducted by a qualified biologist within 500 feet of proposed construction areas. If active nests are identified in these areas, CDFW and/or USFWS should be consulted to develop measures to avoid “take” of active nests prior to the initiation of any construction activities. Avoidance measures may include establishment of a buffer zone using construction fencing or the postponement of vegetation removal until after the nesting season, or until after a qualified biologist has determined the young have fledged and are independent of the nest site. With the implementation of this mitigation measure, adverse impacts upon special-status bird species and nesting birds would be reduced to a less-than-significant level.

Road improvements may require the extension or replacement of existing pipe culverts and work in channels. The placement of fill or structures in waters of the State will require a permit from the State Water Resources Control Board (Waste Discharge Requirements or CWA 401 water quality certification). Alteration of a channel would also require a California Fish and Game Code Section 1600 streambed alteration agreement. Avoidance and minimization measures, as well as compensatory mitigation for loss of any jurisdictional waters, are required under these permits. These avoidance, minimization, and mitigation measures will ensure that aquatic habitats are not degraded or permanently lost.

Author

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Principal and owner
Graening & Associates, LLC

EXHIBITS



1 PROPERTY PLAN

SCHEMATIC LAYOUT, SEE CIVIL DRAWINGS



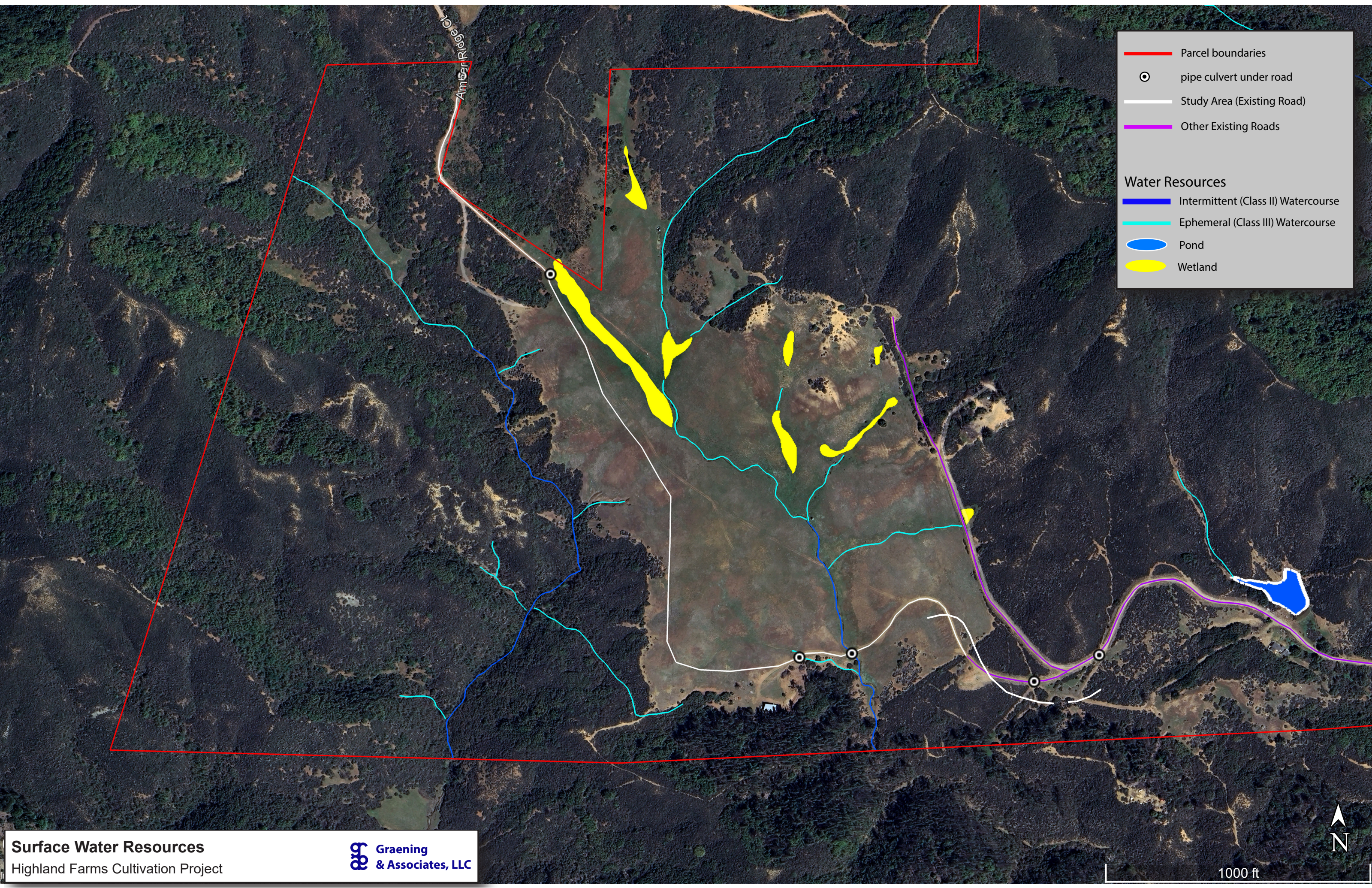
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HIGHLAND FARMS, LP
CANNABIS CULTIVATION OPERATION
HIGHLAND SPRINGS RD AND AMBER RIDGE ROAD
LAKEPORT, CA 95453

PROPERTY PLAN

DATE ISSUED	17 DEC 21
COUNTY PLANS	27 JAN 21
DRAWN BY	RJL
CHECKED BY	RJL
JOB NO.	21031

GS-01



Parcel boundaries

pipe culvert under road

Study Area (Existing Road)

Other Existing Roads

Water Resources

Intermittent (Class II) Watercourse

Ephemeral (Class III) Watercourse

Pond

Wetland